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PAGES (WITH COVER)

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REFERENCE NO

52224/296056

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COMMENTS

Applicant: Matt Ayers
Title: Methods and Systems for Directing Requests for Content to a Content
Server Based on Network Performance
Serial No./Docket No. 09/575,839 52224/296056
Filed: 05/22/2000

PAPERS SUBMITTED:

1. Transmittal Form (PTO/SB/21)
2. Record of Telephone Interview and Request for Corrected Notice of Panel Decision
from Pre-Appeal Brief Review

Date: April 26, 2006

By: Brenda O. Holmes, Reg. No. 40,339

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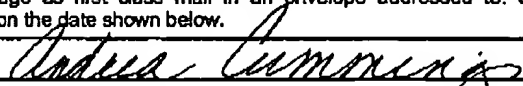
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/575,839	
	Filing Date	05/22/2000	
	First Named Inventor	Matt Ayers	
	Art Unit	2144	
	Examiner Name	Nguyen, Thanh T.	
Total Number of Pages in This Submission		Attorney Docket Number	52224/296056

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Recid of Telephone Interview and Request for Corrected Notice of Panel Decision from Pre-Appeal Brief Review
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	KILPATRICK STOCKTON LLP		
Signature			
Printed Name	Brenda O. Holmes		
Date	04/26/2006	Reg. No.	40,339

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Signature			
Typed or printed name	Andrea Cummings	Date	04/26/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or claim a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APR 26 2006

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Matt Ayers

Serial No. 09/575,839

Filed: May 22, 2000

For: Methods and Systems for Directing
Requests for Content to a Content
Server Based on Network Performance

Art Unit: 2144

Examiner: Nguyen, Thanh T.

Attorney Docket No.: 52224/296056

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

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Andrea Cummings

DATE: April 26, 2006

RECORD OF TELEPHONE INTERVIEW AND REQUEST FOR CORRECTED
NOTICE OF PANEL DECISION FROM PRE-APPEAL BRIEF REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Pre-Appeal Brief Request for Review was filed in this case on December 22, 2005. The undersigned received a telephone call from the Examiner on March 27, 2006 in which the Examiner proposed an amendment to place the claims in condition for allowance. The Examiner's amendment was considered and on March 29, 2006 the undersigned informed the Examiner that the proposed amendment was not acceptable. The Examiner indicated that another Office Action would be issued.

Appln. No. Serial No. 09/575,839

Record of Telephone Interview and Request for Reissuance Dated 4/26/2006

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On March 31, 2006, a Notice of Panel Decision from Pre-Appeal Brief Review was mailed from the Office. The Notice is incomplete since none of the options are checked. The undersigned contacted the Examiner on April 12, 2006 and again on April 19, 2006 and requested a corrected Notice. To date, no corrected Notice has been received. During the conversation with the Examiner of April 19, 2006, the Examiner confirmed that the Examiner was planning to prepare an Office Action for this application. It is requested that a corrected Notice of Panel Decision be issued that indicates the Panel elected Option 4, reopen prosecution.

If there are any issues that can be resolved via a telephone conference, please contact the undersigned at 404-685-6799.

Respectfully submitted,



By: Brenda O. Holmes
Reg. No. 40,339

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